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Counsel for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF JONATHAN TSE IN
SUPPORT OF GOOGLE LLC'S
ADMINISTRATIVE MOTION TO SEAL
PORTIONS OF GOOGLE'S MOTIONS
TO EXCLUDE OPINIONS OF
PLAINTIFFS' EXPERTS IN SUPPORT
OF PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

Judge: Hon. Yvonne Gonzalez Rogers

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney with Quinn
3 Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant, Google LLC (“Google”) in this action.
4 I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a
5 witness, I could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of Google
7 LLC’s Administrative Motion To Seal Portions Of Google’s Motions to Exclude Opinions of
8 Plaintiffs’ Experts in Support of Plaintiffs’ Motion for Class Certification (“Google’s Motions to
9 Exclude”). In making this request, Google has carefully considered the relevant legal standard and
10 policy considerations outlined in Civil Local Rule 79-5. Google makes this request with the good
11 faith belief that certain information sought to be sealed consists of Google’s confidential information
12 and that public disclosure could cause competitive harm.

13 3. The information requested to be sealed contains Google’s non-public, sensitive
14 confidential and proprietary business information that could affect Google’s competitive standing
15 and may expose Google to increased security risks if publicly disclosed, including details related to
16 Google’s internal projects, internal identifiers, data signals and logs, and their proprietary
17 functionalities, as well as internal metrics, which Google maintains as confidential in the ordinary
18 course of its business and is not generally known to the public or Google’s competitors.

19 4. Such highly confidential information reveals Google’s internal strategy and systems
20 regarding various important products and nonpublic investigations thereto and falls within the
21 protected scope of the Protective Order entered in this action. *See* Dkt. 81 at 2-3. The redacted
22 portions also contain, summarize or reflect material designated, Confidential or Highly Confidential
23 – Attorneys’ Eyes Only Pursuant to Stipulated Protective Order.

24 5. Public disclosure of such highly confidential information could affect Google’s
25 competitive standing as competitors may alter their system designs and practices relating to
26 competing products, time strategic litigation, focus their patent prosecution strategies, or otherwise
27 unfairly compete with Google. It may also place Google at an increased risk of cybersecurity threats,
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1 as third parties may seek to use the information to compromise Google's internal systems and
2 operations.

3 6. For these reasons, Google respectfully requests that the Court order the identified
4 portions of Google's Motions to Exclude to be filed under seal.

5 I declare under penalty of perjury of the laws of the United States that the foregoing is true
6 and correct. Executed in San Francisco, California on August 5, 2022.

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8 DATED: August 5, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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11 By /s/ Jonathan Tse
12 Jonathan Tse
13 *Attorney for Defendant*
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